

SENATE BILL NO. 159

INTRODUCED BY L. GROSFIELD

BY REQUEST OF THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE BOARD OF LAND COMMISSIONERS TO GRANT EASEMENTS FOR SPECIFIC USES IN STATE LANDS; AMENDING SECTION 77-2-101, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 77-2-101, MCA, is amended to read:

"77-2-101. Easements for public specific uses. ~~(1) The board may grant easements in state lands for schoolhouse sites and grounds, public parks, community buildings, cemeteries, conservation purposes to the department of fish, wildlife, and parks on parcels that are surrounded by or adjacent to land owned by the department of fish, wildlife, and parks as of January 1, 2001, environmental control purposes, and other public uses upon proper applications accompanied by accurate and duly verified plats from the lawfully constituted authorities having charge of those properties application, as provided in 77-2-102.~~ (1) UPON PROPER APPLICATION AS PROVIDED IN 77-2-102, THE BOARD MAY GRANT EASEMENTS ON STATE LANDS FOR THE FOLLOWING PURPOSES:

(A) SCHOOLHOUSE SITES AND GROUNDS;

(B) PUBLIC PARKS;

(C) COMMUNITY BUILDINGS;

(D) CEMETERIES;

(E) CONSERVATION PURPOSES;

(i) TO THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS FOR PARCELS THAT ARE SURROUNDED BY OR ADJACENT TO LAND OWNED BY THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS AS OF JANUARY 1, 2001;

(ii) TO A NONPROFIT CORPORATION FOR PARCELS THAT ARE SURROUNDED BY OR ADJACENT TO LAND OWNED BY THAT SAME NONPROFIT CORPORATION AS OF JANUARY 1, 2001; AND

(iii) TO A NONPROFIT CORPORATION FOR THE OWEN SOWERWINE NATURAL AREA LOCATED WITHIN SECTION 16, TOWNSHIP 28 NORTH, RANGE 21 WEST, IN FLATHEAD COUNTY; AND

